

**211 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM No. M-15546 of 2017 (O&M)**

Date of Decision: 16.05.2017.

Bhagmal @ Bhaga

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM : Hon'ble Mr. Justice Jitendra Chauhan**

Present : Mr. L.M. Gulati, Advocate,  
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

**JITENDRA CHAUHAN.J.(ORAL)**

The present petition has been filed under Section 438 the Cr.P.C seeking anticipatory bail in case FIR No. 156 dated 25.11.2016 registered under Section 15 of NDPS Act at Police Station Garhshankar, District Hoshiarpur.

On 04.05.2017 this Court had passed the following order:-

“Learned counsel contends that the petitioner was earlier falsely implicated in FIR No.232 dated 06.11.2007 registered under Section 15 of the NDPS Act wherein he was acquitted. Thereafter, the petitioner was again framed in the present FIR registered under Section 15 of NDPS Act and is suffering trial. He further contends that the petitioner who is 67 years of age, was not arrested from the spot. As per the FIR, the petitioner allegedly ran away from the spot in the presence of six police officials whereas the petitioner is an aged asthma patient and is even unable to work properly.

Notice of motion for 16.05.2017.

The petitioner is directed to join the investigation.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1.That he shall make himself available for interrogation by a police officer as and when required;
- 2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- 3.That he shall not leave India without prior permission of the Court.”

It is contended that in pursuance of the order dated 04.05.2017, the petitioner has joined the investigation.

Learned State counsel, on instructions, states that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of above, the order dated 04.05.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioner to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

16.05.2017.  
SN

**(JITENDRA CHAUHAN)**  
**JUDGE**

**Whether speaking/reasoned :      Yes/No**  
**Whether reportable :                Yes/No**